



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

**Agency:** Administrative Order #07-03 – Health Care Authority – Prescription Drug Program

- ☒ **Preproposal Statement of Inquiry** was filed as WSR 07-10-069 ; or  
☐ **Expedited Rule Making--Proposed notice** was filed as WSR \_\_\_\_\_; or  
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**  
☐ **Supplemental Notice to WSR** \_\_\_\_\_  
☐ **Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject)

WAC 182-50-005 Definitions.

WAC 182-50-200 Endorsing practitioner therapeutic interchange program; effect of practitioner's endorsing status; dispense as written instructions.

**Hearing location(s):**

Health Care Authority  
 676 Woodland Square Loop SE  
 Olympia, WA 98504

The Sue Crystal Center

Date: September 11, 2007 Time: 9:00 am

**Submit written comments to:**

Name: Duane Thurman  
 Address: Health Care Authority  
 MS: TB-51, 1511 Third Ave., Suite 202  
 Seattle, WA 98101  
 e-mail [duane.thurman@hca.wa.gov](mailto:duane.thurman@hca.wa.gov)  
 fax (206)521-2001 by (date) 5:00 pm September 11, 2007

**Assistance for persons with disabilities:** Contact

Nikki Johnson by August 28, 2007

TTY (888) 923-5622 or (360) 923-2805

**Date of intended adoption:** September 12, 2007

(Note: This is **NOT** the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to revise WAC 182-50-005 (9) and WAC 182-50-200 (1) (b) to include "the refill of a immunomodulator/antiviral treatment for hepatitis C for which an established, fixed duration of therapy is prescribed for at least twenty-four weeks but no more than forty-eight weeks" as a basis for exemption from preferred drug substitution as required by RCW 69.41.180.

**Reasons supporting proposal:** To incorporate amendments to RCW 69.41.180 created by SSB 5838 (Chapter 233, Laws of 2006).

**Statutory authority for adoption:** RCW 41.05.160

**Statute being implemented:** RCW 69.41.180

**Is rule necessary because of a:**

- Federal Law? ☐ Yes ☒ No  
 Federal Court Decision? ☐ Yes ☒ No  
 State Court Decision? ☐ Yes ☒ No  
 If yes, CITATION:

**DATE** June 26<sup>th</sup>, 2007

**NAME** (type or print)

Jason Siems

**SIGNATURE**

**TITLE**

Rules Coordinator

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED**

**DATE:** June 26, 2007

**TIME:** 4:32 PM

**WSR 07-14-037**

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) Duane Thurman

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Duane Thurman	MS: TB-51, 1511 Third Ave, Suite 201, Seattle WA, 98101	(206) 521-2036
Implementation....Duane Thurman	Same as above	( )
Enforcement..... Duane Thurman	Same as above	( )

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and there will be no costs to small businesses.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain: RCW 34.05.328 does not apply to the Health Care Authority rules unless requested by the Joint Administrative Rules Committee or applied voluntarily.